

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 3:12CR131
)	
JOSE ARMANDO BRAN,)	
a.k.a. "Pantro,")	
(Counts 1-5))	
)	
Defendant.)	

SECOND SUPERSEDING INDICTMENT

December 2012 Term – at Richmond, Virginia.

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Conspiracy to Commit Murder in Aid of Racketeering)

1. On or about July 24, 2011, the exact dates being unknown, in the Eastern District of Virginia and elsewhere within the jurisdiction of this court, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant, JOSE ARMANDO BRAN, also known as "Pantro," together with others known and unknown to the grand jury, unlawfully, knowingly, and intentionally did combine, conspire, confederate, and agree together and with each other and others to murder Osbin Noel Hernandez-Gonzalez, in violation of the laws of the Commonwealth of Virginia, specifically, Va. Code Ann. §§ 18.2-22 and 18.2-32.

DEFENSE
PROPOSED
REDACTION

COUNT TWO

(Murder in Aid of Racketeering Activity)

July 24, 2011, in Richmond, Virginia, within the Eastern District of Virginia and
purpose of gaining entrance to and maintaining and increasing position in MS-13,
ed in racketeering activity, the defendant, JOSE ARMANDO BRAN, together
and unknown to the grand jury, unlawfully, knowingly, and intentionally
el Hernandez-Gonzalez in violation of the laws of the Commonwealth of
y, Va. Code Ann. 18.2-32 and 18.2-18, and did aid, abet, counsel, command,
other to commit said offense.

18, United States Codes, Sections 1959(a)(1) and 2.)

COUNT THREE

(Use of a Firearm During a Crime of Violence Causing Death To Another)

On or about July 24, 2011, in Richmond, Virginia, within the Eastern District of Virginia and elsewhere, the defendants, JOSE ARMANDO BRAN, and others, known and unknown, did unlawfully, knowingly, and intentionally use, carry, and discharge a firearm during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, specifically, murder in aid of racketeering activity, in violation of Title 18, United States Code, Section 1959(a)(1), as set forth and charged in Count Two of this Superseding Indictment, which is re-alleged and incorporated by reference herein, and in the course of this violation caused the death of Osbin Noel Gonzalez-Hernandez through the use of the firearm which killing was murder, as defined in 18 U.S.C. § 1111, in that the defendant, JOSE ARMANDO BRAN, with malice aforethought, did unlawfully kill and murder Osbin Noel Gonzalez-Hernandez by shooting him with a firearm and did aid, abet, counsel, command, induce, and cause another to commit said offense.

(In violation of Title 18, United States Code, Sections 924(c)(1)(A) and (j), and 2.)

COUNT FOUR

(Conspiracy to Commit Murder in Aid of Racketeering)

2. From on or about January 14, 2012, the exact dates being unknown, in the Eastern District of Virginia and elsewhere within the jurisdiction of this court, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, the defendant, JOSE ARMANDO BRAN, together with others known and unknown to the grand jury, unlawfully, knowingly, and intentionally did combine, conspire, confederate, and agree together and with each other and others to murder victim F.A., in violation of the laws of the Commonwealth of Virginia, specifically, Va. Code Ann. §§ 18.2-22 and 18.2-32.

COUNT FIVE
(Maiming in Aid of Racketeering)

On or about January 14, 2012, in Richmond, Virginia, in the Eastern District of Virginia and elsewhere, for the purpose of gaining entrance to and maintaining and increasing position in MS-13, an enterprise engaged in racketeering activity, JOSE ARMANDO BRAN, also known as “Pantro,” the defendant, unlawfully and knowingly did maim victim F.A., in violation of the laws of the Commonwealth of Virginia, specifically, Va. Code Ann. 18.2-51.2 and 18.2-18, and did aid, abet, counsel, command, induce, and cause another to commit said offense.

(In violation of Title 18, United States Codes, Sections 1959(a)(2) and 2.)

A TRUE BILL:

FOREPERSON

NEIL H. MACBRIDE
UNITED STATES ATTORNEY

By:

Roderick C. Young
Assistant United States Attorney

Andrew Creighton
Trial Attorney
Department of Justice, Criminal Division